FARAD CONTINUATION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2604 OF 2006

Office notes, office Memoranda of Coram, appearance, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Smt. Pranali Kakade, Adv. for the Applicant.

Mr.Rajesh More, APP. for the State.

CORAM : R.S. MOHITE,J.
DATED : 03/8/2006.

P.C.

1. This is an application for grant of bail. The applicant is shown as an accused in C.R.No.172/2006 registered by Sahakar Nagar Police Station, Pune for alleged offences under Section 344, 363, 366A, 373 of the I.P.C. and 3,4,5,6 and 7 of the PITA Act. On perusal of the complaint, it is seen that the present applicant was Manager of the hotel. The raid was conducted on the hotel and several minor girls who were conducting prostitution den were rescued. On perusal of the statement of these minor girls, it is

clear that they were earlier working in dance bars and after the dance bars were closed, they went to their village, but due to poverty they required to work as prostitutes. On perusal of the papers, it is clear that the present applicant who is the Manager can be said to have committed an offence under Section 6 of the PITA Act which pertains to detaining person in premises where prostitution is carried out. Said section is punishable with sentence which may extend to life. For conviction under this section is not necessarily that detention has to be of a minor or a child though there are certain presumptions under said section in respect of children and minors. It was sought to be argued that the said girls/children came to the den of their own will and it cannot be said that they were detained without their consent. This section is very clear in this regard and detention may be with or without consent of the person

concerned.

2. It was sought to be argued that the owner of the hotel by name Meena Chavan was granted bail. However, on perusal of the order, it appears that she has been granted bail on the sole ground that she is woman without considering the merits of the case. That reasoning cannot be applied to the present applicant. There is no substance in the application. Hence, application is rejected.

(R. S. MOHITE, J.)